IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.1006 OF 2007

M.Visvesvaraya Industrial Research
and Development Centre ..Petitioner

Vs.

Deputy Commissioner of Income Tax
and Others ..Respondents

Mr.F.B.Andhyarujina i/b. Little & Co.for the Petitioner.
Mr.A.S.Rao for the Respondents.

**CORAM :- DR.S.RADHAKRISHNAN &
V.C.DAGA, JJ.**

DATE : 4TH JUNE, 2007

P.C.

. Heard the learned Counsel for the parties.

The learned Counsel for the Petitioner fairly states that against the impugned order dated 21st December,2006, an Appeal has already been filed under Section 216 of the Income Tax Act. In view of the pending Appeal, the learned Counsel for the Petitioner seeks leave to withdraw the above Petition. The Petition is allowed to be withdrawn and dismissed as such. It is made clear that the Petitioner is entitled to raise all the contentions raised in this Petition, in the Appeal, which has already been filed.

(V.C.DAGA,J.) **(DR.S.RADHAKRISHNAN,J.)**